MCKOOL SMITH P.C.
Peter S. Goodman
One Bryant Park, 47th Floor
New York, NY 10036
Telephone: (212) 402-9400
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- and -

MCKOOL SMITH P.C.
Basil A. Umari (*pro hac vice*)
Nicholas Zugaro (*pro hac vice*)
600 Travis, Suite 7000
Houston, TX 77002
Telephone: (713) 485-7300
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Counsel to the Liquidating Trustee

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re	**Chapter 11 Case No.**
BEARINGPOINT, INC., et al.,	**09 - 10691 (REG)**
Debtors.	**(Jointly Administered)**

NOTICE OF HEARING ON THE LIQUIDATING TRUSTEE'S AMENDED OBJECTION TO CLAIM NO. 463 OF GREGORY DAVIS

PLEASE TAKE NOTICE THAT:

A hearing (the "***Hearing***") to consider the Amended Objection to Claim No. 463 of Gregory Davis, dated December 30, 2010 (the "***Objection***"), of John DeGroote Services LLC (the "***Liquidating Trustee***") as Liquidating Trustee to the BearingPoint Inc. Liquidating Trust, to Claim No. 463 of Gregory Davis filed in the Debtors' chapter 11 cases shall be held before Honorable Robert E. Gerber, United States Bankruptcy Judge, Room 621 of the United States Bankruptcy Court for the Southern District of New York, Alexander Hamilton Custom House, One Bowling Green, New York, New York 10004, on **February 2, 2011, at 9:45 a.m. (Eastern Time)**, or as soon thereafter as counsel may be heard.

The deadline to file any responses to the Objection is **January 21, 2011, at 4:00 p.m. (Eastern Time)** (the "***Objection Deadline***").

PLEASE TAKE FURTHER NOTICE that responses, if any, to the Objection, must be in writing, must (a) conform to the Federal Rules of Bankruptcy Procedure (the "***Bankruptcy Rules***"), the Local Rules of the Bankruptcy Court for the Southern District of New York, and any case management orders in these chapter 11 cases, (b) set forth the name of the objecting party, the nature and amount of claims or interests held or asserted by the objecting party against the Debtors' estates or property, and (c) set forth the basis for the objection and the specific grounds therefore, and must be filed no later than the Objection Deadline with the Bankruptcy Court electronically in accordance with General Order M-242 (General Order M-242 and the User's Manual for the Electronic Case Filing System may be found at www.nysb.uscourts.gov, the official website for the Bankruptcy Court).

Registered users of the Bankruptcy Court's case filing system must electronically file their objections and responses. All other parties in interest must file their responses on a 3.5 inch floppy disk or flash drive, preferably in Portable Document Format (PDF), Microsoft Word or any other Windows-based word processing format (with a hard copy delivered directly to the chambers of the Hon. Robert E. Gerber), in accordance with General Order M-182 – Electronic Means for Filing, Signing, and Verification of Documents, dated June 26, 1997.

Any objections or responses must also be served upon the following parties so as to be received no later than the Objection Deadline.

Counsel to the Liquidating Trustee McKool Smith P.C. One Bryant Park, 47th Floor New York, New York 10036 Attn: Peter S. Goodman, Esq.

Dated: December 30, 2010
New York, New York

/s/ Peter S. Goodman
MCKOOL SMITH P.C.
One Bryant Park, 47th Floor
New York, New York 10036
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Facsimile: (212) 402-9444

- and -

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Counsel to the Liquidating Trustee

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re	:	**Chapter 11 Case No.**
BEARINGPOINT, INC., et al.,	:	**09 - 10691 (REG)**
Debtors.	:	**(Jointly Administered)**

LIQUIDATING TRUSTEE'S AMENDED OBJECTION TO
CLAIM NO. 463 OF GREGORY DAVIS

TO THE HONORABLE ROBERT E. GERBER
UNITED STATES BANKRUPTCY JUDGE:

John DeGroote Services LLC, Liquidating Trustee (the "***Liquidating Trustee***") to the BearingPoint Inc. Liquidating Trust files this objection (the "***Objection***") to claim of Gregory Davis. This Objection is filed pursuant to section 502 of title 11 of the United States Code (the "***Bankruptcy Code***"), Rule 3007 of the Federal Rules of Bankruptcy Procedure (the "***Bankruptcy Rules***"), and the *Order Pursuant to Bankruptcy Code Section 105 Approving Notice Procedures for Claims Objections and Deemed Schedule Amendment Motions*, dated

October 14, 2009 [Docket No. 1353] (the "***Procedures Order***"). In support of the Objection, the Liquidating Trustee respectfully represents as follows.

RELIEF REQUESTED AND SUMMARY

1. The Liquidating Trustee objects and requests that the Court disallow and expunge Proof of Claim No. 463 (the "***Claim***") filed by Gregory Davis (the "***Claimant***") in its entirety. The Liquidating Trustee previously objected to the Claim as part of the Debtors' Fourth Omnibus Objection to Claims [Docket No. 1567]. Claimant subsequently responded to the claim objection [Docket No. 1602]. The Liquidating Trustee and Claimant have not amicably resolved Claim.

2. The Claim against the Debtors is time-barred, baseless, and overstated. Claimant asserts that the Debtors are liable to the Claimant for $30,646.48 on account of automobile damage incurred and corporate expenses more than ten years prior to the bankruptcy while Claimant was apparently employed at KPMG Peat Marwick, the former parent from which BearingPoint was spun off in 2000.

JURISDICTION

3. This Court has jurisdiction to consider this matter pursuant to 28 U.S.C. §§ 157 and 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b). Venue is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409.

BACKGROUND

4. On February 18, 2009 (the "***Petition Date***"), each of the Debtors commenced with this Court a voluntary case under chapter 11 of the Bankruptcy Code. The Debtors were authorized to continue to operate their businesses and manage their properties as debtors-in-possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code.

5. On December 22, 2009, the Court by written order confirmed the Debtors' Modified Second Amended Joint Plan Under Chapter 11 of the Bankruptcy Code, Dated December 17, 2009 (the "***Plan***"). John DeGroote Services LLC serves as the Liquidating Trustee under the Plan. The Plan became effective on December 30, 2009 (the "***Effective Date***").

6. On April 15, 2009, Claimant filed Claim No. 463. A copy of Claim No. 463 is attached hereto as Exhibit "A." Attached to the Claim is a letter briefly describing the details of Claimant's employment with a non-debtor entity - KPMG Peat Marwick, a description of the Claimants' car, a credit card invoice dated November 27, 1998, and a spreadsheet detailing accruing interest on the Claimant's credit card.

7. On December 21, 2009, the Debtors filed their Fourth Omnibus Objection to Claims [Docket no. 1567]. The Fourth Omnibus Objection to Claims included an objection to Gregory Davis's Claim.

8. On January 14, 2010, Gregory Davis filed his Response to Omnibus Objection to Proof of Claim and Supporting Declaration [Docket No. 1602].

9. Prior to the petition date, Claimant was an employee of KPMG Peat Marwick ("***KPMG***"). In 1998, Claimant was terminated from employment with KPMG. During his employment with KPMG, Claimant's automobile allegedly caught fire during a business trip and Claimant incurred expenses on his corporate credit card. Claimant argues that he is owed the full retail value of his car and reimbursement of expenses and credit card interest.

OBJECTION TO CLAIM

10. The Liquidating Trustee denies any liability for the Claim. The Claim contains two components: first, it asserts that the Debtors are liable to the Claimant for damages to the Claimant's 1983 Peugeot 505 STi which allegedly caught fire wile Claimant worked for KPMG

during 1998. Second, it asserts that the Debtors are liable to the Claimant for expenses incurred and paid with a Diner's Club card on or prior to November 27, 1998 while working in the Los Angeles, California for KPMG.

11. First, the Claim should be disallowed because it does not assert a claim against the Debtors' estates. On its face, the Claim is against KPMG because Claimant was employed by KPMG at the time of the alleged loss and charges. KPMG is not a Debtor entity. Based on a review of the Debtors' employment records, Claimant was never an employee of the Debtors. See Declaration of Barry Folse, attached hereto as Exhibit A.

12. Second, the Claim should be disallowed because it is time-barred. The California Code of Civil Procedure provides that an action upon any contract must be commenced within four years of the date of injury. CAL. CIV. PRO. CODE § 337. The California Code of Civil Procedure provides that an action for damage to personal property must be commenced within three years of the date of injury. CAL. CIV. PRO. CODE § 338(c). With respect to the expense statement, according to the Claim, the final transaction occurred on July 25, 1998. The final billing due date for expenses was apparently December 21, 1998. With respect to the Peugeot, the damages were allegedly incurred some time in 1998. More than twelve years have passed. Any potential cause of action that Claimant may have had under California law has been time barred for many years prior to the Petition Date. Claimant has not provided any reason why the limitations period should be tolled.

13. Third, the Claim is unsubstantiated. Claimant offers no explanation how fire damages to his personal automobile are a reimbursable business expense. Further, Claimant does not establish how a 1983 Peugeot is worth $28,826.

14. WHEREFORE the Liquidating Trustee respectfully requests the Court disallow the Claim and grant such other and further relief as is just and proper.

Dated: December 30, 2010
New York, New York

/s/ Peter S. Goodman
Peter S. Goodman
MCKOOL SMITH P.C.
One Bryant Park, 47th Floor
New York, New York 10036
Telephone: (212) 402-9200
Facsimile: (212) 402-9444

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Houston, Texas 77002
Telephone: (713) 485-7300
Facsimile: (713) 485-7344

Counsel to the Liquidating Trustee

EXHIBIT “A”

CLAIM 463 OF GREGORY DAVIS

01023812

UNITED STATES BANKRUPTCY COURT FOR THE SOUTHERN DISTRICT OF NEW YORK				PROOF OF CLAIM	
Name of Debtor (Check Only One)	Case No	Name of Debtor	Case No	Name of Debtor	Case No
☐BL New York Holdings Inc	09 10690 (REG)	☐BearingPoint International I Inc	09-10698 (REG)	☐i2 Mid Atlantic LLC	09 10706 (REG)
☑BearingPoint Inc	09 10691 (REG)	☐BearingPoint Israel LLC	09-10699 (REG)	☐i2 Northwest LLC	09 10707 (REG)
☐BearingPoint LLC	09-10692 (REG)	☐BearingPoint Puerto Rico LLC	09-10700 (REG)	☐Metrius Inc	09 10708 (REG)
☐BearingPoint Americas Inc	09 10693 (REG)	☐BearingPoint Russia LLC	09-10701 (REG)	☐OAD Acquisition Corp	09-10709 (REG)
☐BearingPoint BG LLC	09-10694 (REG)	☐BearingPoint South Pacific, LLC	09 10702 (REG)	☐OAD Group Inc	09-10710 (REG)
☐BearingPoint Enterprise Holdings LLC	09-10695 (REG)	☐BearingPoint Southeast Asia LLC	09-10703 (REG)	☐Peloton Holdings L L C	09 10711 (REG)
☐BearingPoint Global Inc	09-10696 (REG)	☐BearingPoint Technology Procurement Services LLC	09 10704 (REG)	☐Softline Acquisition Corp	09 10712 (REG)
☐BearingPoint Global Operations Inc	09-10697 (REG)	☐BearingPoint USA Inc	09-10705 (REG)	☐Softline Consulting & Integrators, Inc	09 10713 (REG)

NOTE *This form should not be used to make a claim for an administrative expense arising after the commencement of the case but may be used for purposes of asserting a claim under 11 U S C § 503(b)(9) (see Column # 5) A request for payment of an administrative expense may be filed pursuant to 11 U S C § 503*

Name of Creditor (the person or other entity to whom the debtor owes money or property) GREGORY E DAVIS

Name and address where notices should be sent
GREGORY E DAVIS
2015 S HOLT AVE #6
LOS ANGELES CA 90034

Telephone number (310) 559-6917

☐ Check this box to indicate that this claim amends a previously filed claim

Court Claim Number FILED - 00463
(If known) SDNY
BEARINGPOINT, INC
Filed on 09-10691 (REG)

Your Claim is Scheduled As Follows.

THE GARDEN CITY GROUP, INC.
APR 15 2009

If an amount is identified above you have a claim scheduled by one of the Debtors as shown (This scheduled amount of your claim may be an amendment to a previously scheduled amount) If you agree with the amount and priority of your claim as scheduled by the Debtor and you have no other claim against the Debtor, you do not need to file this proof of claim form EXCEPT AS FOLLOWS If the amount shown is DISPUTED UNLIQUIDATED or CONTINGENT a proof of claim MUST be filed in order to receive any distribution in respect of your claim If you have already filed a proof of claim in accordance with the attached instructions you need not file again

Name and address where payment should be sent (if different from above)

Telephone number

☐ Check this box if you are aware that anyone else has filed a proof of claim relating to your claim Attach copy of statement giving particulars

☐ Check this box if you are the debtor or trustee in this case

1 Amount of Claim as of Date Case Filed $ 30,646.98

If all or part of your claim is secured, complete item 4 below however, if all of your claim is unsecured do not complete item 4

If all or part of your claim is entitled to priority, complete item 5

☑ Check this box if claim includes interest or other charges in addition to the principal amount of claim Attach itemized statement of interest or charges

2 Basis for Claim Corporate Credit Card; Auto damage
(See instruction #2 on reverse side)

3 Last four digits of any number by which creditor identifies debtor 3886 562209 8509

3a Debtor may have scheduled account as SSN 04654-0107
(See instruction #3a on reverse side)

4 Secured Claim (See instruction #4 on reverse side)
Check the appropriate box if your claim is secured by a lien on property or a right of setoff and provide the requested information

Nature of property or right of setoff ☐ Real Estate ☐ Motor Vehicle ☐ Equipment ☐ Other
Describe

Value of Property $______ **Annual Interest Rate**___%

Amount of arrearage and other charges as of time case filed included in secured claim,

if any $______ **Basis for perfection** ______

Amount of Secured Claim $______ **Amount Unsecured** $______

5 Amount of Claim Entitled to Priority under 11 U S C §507(a) If any portion of your claim falls in one of the following categories, check the box and state the amount

Specify the priority of the claim

☐ Domestic support obligations under 11 U S C §507(a)(1)(A) or (a)(1)(B)

☐ Wages, salaries, or commissions (up to $10,950*) earned within 180 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier – 11 U S C §507 (a)(4)

☐ Contributions to an employee benefit plan – 11 U S C §507 (a)(5)

☐ Up to $2 425* of deposits toward purchase, lease or rental of property or services for personal, family or household use – 11 U S C §507 (a)(7)

☐ Taxes or penalties owed to governmental units – 11 U S C §507 (a)(8)

☐ Value of goods received by the Debtor within **20 days** before the date of commencement of the case - 11 U S C § 503(b)(9) (§507(a)(2))

☐ Other – Specify applicable paragraph of 11 U S C §507 (a)(__)

Amount entitled to priority
$______

**Amounts are subject to adjustment on 4/1/10 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment*

6 Credits The amount of all payments on this claim has been credited for the purpose of making this proof of claim

7 Documents Attach redacted copies of any documents that support the claim such as promissory notes purchase orders invoices, itemized statements or running accounts contracts, judgments mortgages, and security agreements You may also attach a summary Attach redacted copies of documents providing evidence of perfection of a security interest You may also attach a summary (*See definition of "redacted" on reverse side*)

DO NOT SEND ORIGINAL DOCUMENTS ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING

If the documents are not available please explain

Date 4/13/09

Signature The person filing this claim must sign it Sign and print name and title, if any of the creditor or other person authorized to file this claim and state address and telephone number if different from the notice address above Attach copy of power of attorney, if any

Gregory E. Davis

B10 (Official Form 10) (12/07) *Penalty for presenting fraudulent claim* Fine of up to $500,000 or imprisonment for up to 5 years, or both 18 U S C §§ 152 and 3571

INSTRUCTIONS FOR PROOF OF CLAIM FORM

The instructions and definitions below are general explanations of the law. In certain circumstances, such as bankruptcy cases not filed voluntarily by the debtor, there may be exceptions to these general rules.

A SEPARATE PROOF OF CLAIM FORM MUST BE FILED AGAINST EACH DEBTOR

PLEASE SEND YOUR ORIGINAL, COMPLETED CLAIM FORM AS FOLLOWS: **IF BY MAIL**: THE GARDEN CITY GROUP, INC., ATTN: BEARINGPOINT, INC. CLAIMS PROCESSING, P.O. BOX 9000 #6525, MERRICK, NEW YORK 11566-9000. **IF BY HAND OR OVERNIGHT COURIER**: THE GARDEN CITY GROUP, INC., ATTN: BEARINGPOINT, INC. CLAIMS PROCESSING, 105 MAXESS ROAD, MELVILLE, NEW YORK 11747 **OR IF BY HAND**: UNITED STATES BANKRUPTCY COURT, SDNY, ONE BOWLING GREEN, ROOM 534, NEW YORK, NEW YORK 10004

ALL CLAIMS MUST BE RECEIVED ON OR BEFORE APRIL 17, 2009 AT 5:00 P.M. (PREVAILING EASTERN TIME)

Any proof of claim submitted by facsimile or e-mail will **not** be accepted

Court, Name of Debtor, and Case Number
Fill in the federal judicial district where the bankruptcy case was filed (Southern District of New York), the bankruptcy debtor's name, and the bankruptcy case number. If the creditor received a notice of the case from the bankruptcy court, all of this information is located at the top of the notice.

Creditor's Name and Address
Fill in the name of the person or entity asserting a claim and the name and address of the person who should receive notices issued during the bankruptcy case. A separate space is provided for the payment address if it differs from the notice address. The creditor has a continuing obligation to keep the court informed of its current address. See Federal Rule of Bankruptcy Procedure (FRBP) 2002(g).

1. **Amount of Claim as of Date Case Filed**
State the total amount owed to the creditor on the date of the Bankruptcy filing. Follow the instructions concerning whether to complete items 4 and 5. Check the box if interest or other charges are included in the claim.

2. **Basis for Claim**
State the type of debt or how it was incurred. Examples include goods sold, money loaned, services performed, personal injury/wrongful death, car loan, mortgage note, and credit card.

3. **Last Four Digits of Any Number by Which Creditor Identifies Debtor**
State only the last four digits of the debtor's account or other number used by the creditor to identify the debtor.

3a. **Debtor May Have Scheduled Account As**
Use this space to report a change in the creditor's name, a transferred claim, or any other information that clarifies a difference between this proof of claim and the claim as scheduled by the debtor.

4. **Secured Claim**
Check the appropriate box and provide the requested information if the claim is fully or partially secured. Skip this section if the claim is entirely unsecured. (See DEFINITIONS, below.) State the type and the value of property that secures the claim, attach copies of lien documentation, and state annual interest rate and the amount past due on the claim as of the date of the bankruptcy filing.

5. **Amount of Claim Entitled to Priority Under 11 U.S.C. §507(a)**
If any portion of your claim falls in one or more of the listed categories, check the appropriate box(es) and state the amount entitled to priority. (See DEFINITIONS, below.) A claim may be partly priority and partly non-priority. For example, in some of the categories, the law limits the amount entitled to priority. If you have a Section 503(b)(9) claim (see DEFINITIONS below), check the appropriate box.

6. **Credits**
An authorized signature on this proof of claim serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

7. **Documents**
Attach to this proof of claim form redacted copies documenting the existence of the debt and of any lien securing the debt. You may also attach a summary. You must also attach copies of documents that evidence perfection of any security interest. You may also attach a summary. FRBP 3001(c) and (d). Do not send original documents, as attachments may be destroyed after scanning.

Date and Signature
The person filing this proof of claim must sign and date it. FRBP 9011. Print the name and title, if any, of the creditor or other person authorized to file this claim. State the filer's address and telephone number if it differs from the address given on the top of the form for purposes of receiving notices. Attach a complete copy of any power of attorney. Criminal penalties apply for making a false statement on a proof of claim.

DEFINITIONS

Debtor
A debtor is the person, corporation, or other entity that has filed a bankruptcy case.
The Debtors in these Chapter 11 cases are:

BE New York Holdings, Inc.	09-10690 (REG)
BearingPoint, Inc.	09-10691 (REG)
BearingPoint, LLC	09-10692 (REG)
BearingPoint Americas, Inc.	09-10693 (REG)
BearingPoint BG, LLC	09-10694 (REG)
BearingPoint Enterprise Holdings, LLC	09-10695 (REG)
BearingPoint Global, Inc.	09-10696 (REG)
BearingPoint Global Operations, Inc.	09-10697 (REG)
BearingPoint International I, Inc.	09-10698 (REG)
BearingPoint Israel, LLC	09-10699 (REG)
BearingPoint Puerto Rico, LLC	09-10700 (REG)
BearingPoint Russia, LLC	09-10701 (REG)
BearingPoint South Pacific, LLC	09-10702 (REG)
BearingPoint Southeast Asia LLC	09-10703 (REG)
BearingPoint Technology Procurement Services, LLC	09-10704 (REG)
BearingPoint USA, Inc.	09-10705 (REG)
i2 Mid Atlantic LLC	09-10706 (REG)
i2 Northwest LLC	09-10707 (REG)
Metrius, Inc.	09-10708 (REG)
OAD Acquisition Corp.	09-10709 (REG)
OAD Group, Inc.	09-10710 (REG)
Peloton Holdings, L.L.C.	09-10711 (REG)
Softline Acquisition Corp.	09-10712 (REG)
Softline Consulting & Integrators, Inc.	09-10713 (REG)

Creditor
A creditor is the person, corporation, or other entity owed a debt by the debtor on the date of the bankruptcy filing.

Claim
A claim is the creditor's right to receive payment on a debt that was owed by the debtor on the date of the bankruptcy filing. See 11 U.S.C. §101 (5). A claim may be secured or unsecured.

Proof of Claim
A proof of claim is a form used by the creditor to indicate the amount of the debt owed by the debtor on the date of the bankruptcy filing.

Secured Claim Under 11 U.S.C. §506(a)
A secured claim is one backed by a lien on property of the debtor. The claim is secured so long as the creditor has the right to be paid from the property prior to other creditors. The amount of the secured claim cannot exceed the value of the property. Any amount owed to the creditor in excess of the value of the property is an unsecured claim. Examples of liens on property include a mortgage on real estate or a security interest in a car. A lien may be voluntarily granted by a debtor or may be obtained through a court proceeding. In some states, a court judgment is a lien. A claim also may be secured if the creditor owes the debtor money (has a right to setoff).

Section 503(b)(9) Claim
A Section 503(b)(9) claim is a claim for the value of any goods received by the debtor within **20 days** before the date of commencement of a bankruptcy case in which the goods have been sold to the debtor in the ordinary course of such debtor's business.

Unsecured Claim
An unsecured claim is one that does not meet the requirements of a secured claim. A claim may be partly unsecured if the amount of the claim exceeds the value of the property on which the creditor has a lien.

Claim Entitled to Priority Under 11 U.S.C. §507(a)
Priority claims are certain categories of unsecured claims that are paid from the available money or property in a bankruptcy case before other unsecured claims.

Redacted
A document has been redacted when the person filing it has masked, edited out, or otherwise deleted, certain information. A creditor should redact and use only the last four digits of any social-security, individual's tax identification, or financial account number, all but the initials of a minor's name and only the year of any person's date of birth.

Evidence of Perfection
Evidence of perfection may include a mortgage, lien, certificate of title, financing statement, or other document showing that the lien has been filed or recorded.

INFORMATION

Acknowledgment of Filing of Claim
To receive acknowledgment of your filing, please provide a stamped self-addressed envelope and a copy of this proof of claim when you file the original claim with The Garden City Group, Inc.

Offers to Purchase a Claim
Certain entities are in the business of purchasing claims for an amount less than the face value of the claims. One or more of these entities may contact the creditor and offer to purchase the claim. Some of the written communications from these entities may easily be confused with official court documentation or communications from the debtor. These entities do not represent the bankruptcy court or the debtor. The creditor has no obligation to sell its claim. However, if the creditor decides to sell its claim, any transfer of such claim is subject to FRBP 3001(e), any applicable provisions of the Bankruptcy Code (11 U.S.C. § 101 *et seq.*), and any applicable orders of the bankruptcy court.

MEMO

Date: April 11, 2009

To: United States Bankruptcy Court Southern District of New York,
BearingPoint, Inc as **Debtor**

From: Gregory E Davis as **Claimant**
2015 S Holt Ave #6
Los Angeles, CA 90034

Re: Chapter 11, Case Nos 09-10690 (REG) through 09-10713(REG)

Subject: Un-paid expenses and automobile damages

The purpose of this memo is to present to the United States Bankruptcy Court (Southern District of New York) certain documentation in support of my claim that BearingPoint, *KPMG PEAT MAWICK LLP,* owes claimant un-paid expenses and damages in the amount of **$30,646 48**

In 1998, while employed with the Public Services division of BearingPoint, Inc under the supervision of Dennis, I was assigned to work on the Criminal Case Tracking System for the Superior Court of Ventura County, as a programmer developer BearingPoint, Inc through its partner, Dennis, agreed to reimburse claimant's expenses, including, cost for hotel stays overnight and daily travel from my home in the Greater Los Angeles area to Ventura County site

Upon being unexpectedly relieved of the position "without cause" said Dennis, BearingPoint and its representatives neglected to reimbursement claimant for expenses which accrued on the Corporate Credit account **#3886 562209 8509** issued to claimant by Dinners Club on behalf of BearingPoint The account fell into delinquency status and claimant suffered personal credit damages

Further on, the automobile which was registered to claimant at the time, sustained non-repairable damage (the vehicle was totaled due to engine catching fire while on the freeway) to the engine while in route to the Ventura County site Consequentially, claimant could only sell the vehicle to the Wrecking yard which, claimant believes, stripped what they could from the vehicle to sell as spare parts

At present, the enclosed description of the car is the only information claimant can provide the Court, as the Department of Motor Vehicle is presently searching its database and microfilm system for registration information on the vehicle, Plate No **CA 2AKH002**, Vehicle Make **Peugeot**, Vehicle Color **Black**

Sincerely,

Gregory E Davis
Claimant

Dated April 13, 2009

The following list the specifications of the automobile

1983 Peugeot 505 STi
Valuation Prices

* Price When New (RRP)		$23,050

Quick Info	
Price (rrp)	$23,050
Badge	STi
Body	Sedan
No Doors	4
Seat Capacity	5
Transmission	Automatic
Gear Location	Floor
Drive	Rear Wheel Drive
Fuel Type	Petrol
Release Year	1983
Country of origin	FRANCE
Engine	
Engine Location	Front
Engine Size (cc)	2165
Engine Cycle	4 Stroke
Engine Type	Piston
Cylinders	4
Induction System	Aspirated
Fuel Delivery	Multi-Point Injection
Method of Delivery	Electronic

Corporate/Government
Duplicate Statement

Diners Club International

citibank

PAYMENT COUPON	ACCOUNT. 3886 562209 8509 BILLING DATE 11-27-98 PAYMENT DATE 12-21-98	TOTAL DUE	$ 2,683 00

GREGORY E DAVIS
KPMG PEAT MARWICK LLP 292
2015 S HOLT AVE #6
LOS ANGELES CA
90034-143906

DINERS CLUB
P O BOX 6009
THE LAKES, NV
USA 88901-6009

PAYMENT SUMMARY	ACCOUNT. 3886 562209 8509 BILLING DATE 11-27-98	TOTAL DUE	$ 2,683 00

YOUR CURRENT CARD IS NO LONGER VALID FOR INFORMATION ON OBTAINING A NEW ACCOUNT, PLEASE CALL US AT 1-800 2-DINERS (1-800-234-6377) ANYTIME -- 24 HOURS A DAY, 7 DAYS A WEEK

DINERS CLUB ACCOUNT ACTIVITY

ACCOUNT 3886 562209 8509
NAME GREGORY E DAVIS
BILLING DATE 11-27-98
PAYMENT DATE 12-21-98

DATE	DESCRIPTION	REFERENCE NUMBER	CHARGES AND OTHER DEBITS	PAYMENTS AND CREDITS
11-27-98	LATE FEE ASSESSED ON PAST DUE AMOUNT $2,573 70 AT 02 50%	B32623512038	$ 64 34	
	TOTAL FOR 3886 562209 8509		$ 64 34	

PREVIOUS BALANCE	- PAYMENTS	- CREDITS	= PAST DUE BALANCE	
$ 2,618 66	$ 0 00	$ 0 00	$ 2,618 66	
+ LATE FEES	**+ NEW CHARGES**	**+ OTHER DEBITS**	**+/- TRAVEL ADVANCES**	**= DINERS CLUB BALANCE DUE**
$ 64 34	$ 0 00	$ 0 00	$ 0 00	$ 2,683 00

Corporate/Government
Duplicate Statement

Diners Club International

citibank

DINERS CLUB ACCOUNT ACTIVITY

ACCOUNT 3886 562209 8509 (CONTINUED)
NAME GREGORY E DAVIS
BILLING DATE 07-30 98
PAYMENT DATE 08-23-98

DATE	DESCRIPTION	REFERENCE NUMBER	CHARGES AND OTHER DEBITS	PAYMENTS AND CREDITS

PREVIOUS BALANCE	- PAYMENTS	- CREDITS	= PAST DUE BALANCE	
$ 0 00	$ 0 00	$ 0 00	$ 0 00	
+ LATE FEES	**+ NEW CHARGES**	**+ OTHER DEBITS**	**+/- TRAVEL ADVANCES**	**= DINERS CLUB BALANCE DUE**
$ 0 00	$ 15 15	$ 0 00	$ 621 75	$ 636 90

Corporate/Government
Duplicate Statement

Diners Club International

citibank

PAYMENT COUPON
ACCOUNT 3886 562209 8509
BILLING DATE 07-30-98
PAYMENT DATE 08-23-98

TOTAL DUE $ 636 90

GREGORY E DAVIS
KPMG PEAT MARWICK LLP 147
2015 S HOLT AVE #6
LOS ANGELES CA
90034-143906

DINERS CLUB
P O BOX 6009
THE LAKES, NV
USA 88901-6009

PAYMENT SUMMARY
ACCOUNT 3886 562209 8509
BILLING DATE 07-30-98

TOTAL DUE $ 636 90

IF YOU HAVE ANY QUESTIONS OR NEED TO REPORT A LOST OR STOLEN CARD, PLEASE CALL US AT 1-800-2-DINERS (1-800 234-6377) ANYTIME -- 24 HOURS A DAY, 7 DAYS A WEEK

DINERS CLUB ACCOUNT ACTIVITY
ACCOUNT 3886 562209 8509
NAME. GREGORY E DAVIS
BILLING DATE 07-30-98
PAYMENT DATE 08-23-98

DATE	DESCRIPTION	REFERENCE NUMBER	CHARGES AND OTHER DEBITS	PAYMENTS AND CREDITS
07-25-98	STAR LOS ANGELES CA AMT 100 75 FEE 4 50 1976 S LA CIENEGA	A66512091752	$ 105 25	
07-25-98	STAR LOS ANGELES CA AMT 100 75 FEE 4 50 1976 S LA CIENEGA	A66522091753	$ 105 25	
07-25-98	STAR LOS ANGELES CA AMT 100 75 FEE 4 50 1976 S LA CIENEGA	A66532091754	$ 105 25	
07 25-98	TWIN DRAGON RESTAURANT LOS ANGELES CA	20812602	$ 15 15	
07-27-98	STAR BEVERLY HLS CA AMT 301 50 FEE 4 50 9401 WILSHIRE B	A23172102007	$ 306 00	
	TOTAL FOR 3886 562209 8509		$ 636 90	

Corporate/Government
Duplicate Statement

Diners Club International

citibank

DINERS CLUB ACCOUNT ACTIVITY

ACCOUNT 3886 562209 8509 (CONTINUED)
NAME GREGORY F DAVIS
BILLING DATE 10-29-98
PAYMENT DATE 11-22 98

DATE	DESCRIPTION	REFERENCE NUMBER	CHARGES AND OTHER DEBITS	PAYMENTS AND CREDITS

PREVIOUS BALANCE	- PAYMENTS	- CREDITS	= PAST DUE BALANCE	
$ 1,798 31	$ 0 00	$ 0 00	$ 1,798 31	
+ LATE FEES	+ NEW CHARGES	+ OTHER DEBITS	+/- TRAVEL ADVANCES	= DINERS CLUB BALANCE DUE
$ 44 96	$ 163 39	$ 0 00	$ 612 00	$ 2,618 66

		$39	$39 (only 3)	30% of balance / 30 days	
Billing Date	Balance	Late Fee	Over Limit Fee	Monthly Interest	New Balance
12/27/1998	$2,683 00	39		$26 83	$2,748 83
1/27/1999	$2,748 83	39		$27 49	$2,815 32
2/27/1999	$2,815 32	39		$28 15	$2,882 47
3/27/1999	$2,882 47	39		$28 82	$2,950 30
4/27/1999	$2,950 30	39		$29 50	$3,018 80
5/27/1999	$3,018 80	39		$30 19	$3,087 99
6/27/1999	$3,087 99	39		$30 88	$3,157 87
7/27/1999	$3,157 87	39		$31 58	$3,228 45
8/27/1999	$3,228 45	39		$32 28	$3,299 73
9/27/1999	$3,299 73	39		$33 00	$3,371 73
10/27/1999	$3,371 73	39		$33 72	$3,444 44
11/27/1999	$3,444 44	39		$34 44	$3,517 89
12/27/1999	$3,517 89	39		$35 18	$3,592 07
1/27/2000	$3,592 07	39		$35 92	$3,666 99
2/27/2000	$3,666 99	39		$36 67	$3,742 66
3/27/2000	$3,742 66	39		$37 43	$3,819 09
4/27/2000	$3,819 09	39		$38 19	$3,896 28
5/27/2000	$3,896 28	39		$38 96	$3,974 24
6/27/2000	$3,974 24	39		$39 74	$4,052 98
7/27/2000	$4,052 98	39		$40 53	$4,132 51
8/27/2000	$4,132 51	39		$41 33	$4,212 84
9/27/2000	$4,212 84	39		$42 13	$4,293 96
10/27/2000	$4,293 96	39		$42 94	$4,375 90
11/27/2000	$4,375 90	39		$43 76	$4,458 66
12/27/2000	$4,458 66	39		$44 59	$4,542 25
1/27/2001	$4,542 25	39		$45 42	$4,626 67
2/27/2001	$4,626 67	39		$46 27	$4,711 94
3/27/2001	$4,711 94	39		$47 12	$4,798 06
4/27/2001	$4,798 06	39		$47 98	$4,885 04
5/27/2001	$4,885 04	39		$48 85	$4,972 89
6/27/2001	$4,972 89	39		$49 73	$5,061 62
7/27/2001	$5,061 62	39		$50 62	$5,151 23
8/27/2001	$5,151 23	39		$51 51	$5,241 75
9/27/2001	$5,241 75	39		$52 42	$5,333 16
10/27/2001	$5,333 16	39		$53 33	$5,425 50
11/27/2001	$5,425 50	39		$54 25	$5,518 75
12/27/2001	$5,518 75	39		$55 19	$5,612 94
1/27/2002	$5,612 94	39		$56 13	$5,708 07

2/27/2002	$5,708 07	39		$57 08	$5,804 15
3/27/2002	$5,804 15	39		$58 04	$5,901 19
4/27/2002	$5,901 19	39		$59 01	$5,999 20
5/27/2002	$5,999 20	39		$59 99	$6,098 19
6/27/2002	$6,098 19	39		$60 98	$6,198 18
7/27/2002	$6,198 18	39		$61 98	$6,299 16
8/27/2002	$6,299 16	39		$62 99	$6,401 15
9/27/2002	$6,401 15	39		$64 01	$6,504 16
10/27/2002	$6,504 16	39		$65.04	$6,608 20
11/27/2002	$6,608 20	39		$66 08	$6,713 28
12/27/2002	$6,713 28	39		$67 13	$6,819 42
1/27/2003	$6,819 42	39		$68 19	$6,926 61
2/27/2003	$6,926.61	39		$69 27	$7,034 88
3/27/2003	$7,034 88	39		$70 35	$7,144 23
4/27/2003	$7,144 23	39		$71 44	$7,254 67
5/27/2003	$7,254 67	39		$72 55	$7,366 22
6/27/2003	$7,366 22	39		$73 66	$7,478 88
7/27/2003	$7,478 88	39		$74 79	$7,592 67
8/27/2003	$7,592 67	39		$75 93	$7,707 59
9/27/2003	$7,707 59	39		$77 08	$7,823 67
10/27/2003	$7,823 67	39		$78 24	$7,940 91
11/27/2003	$7,940 91	39		$79 41	$8,059 31
12/27/2003	$8,059 31	39		$80 59	$8,178 91
1/27/2004	$8,178 91	39		$81 79	$8,299 70
2/27/2004	$8,299 70	39		$83 00	$8,421 69
3/27/2004	$8,421 69	39		$84 22	$8,544 91
4/27/2004	$8,544 91	39		$85 45	$8,669 36
5/27/2004	$8,669 36	39		$86 69	$8,795 05
6/27/2004	$8,795 05	39		$87 95	$8,922 00
7/27/2004	$8,922 00	39		$89 22	$9,050 22
8/27/2004	$9,050 22	39		$90 50	$9,179 73
9/27/2004	$9,179 73	39		$91 80	$9,310 52
10/27/2004	$9,310 52	39		$93 11	$9,442 63
11/27/2004	$9,442 63	39		$94 43	$9,576 05
12/27/2004	$9,576 05	39		$95 76	$9,710 82
1/27/2005	$9,710 82	39		$97 11	$9,846 92
2/27/2005	$9,846 92	39		$98 47	$9,984 39
3/27/2005	$9,984 39	39		$99 84	$10,123 24
4/27/2005	$10,123 24	39	39	$101 23	$10,302 47
5/27/2005	$10,302 47	39	39	$103 02	$10,483 49
6/27/2005	$10,483 49	39	39	$104 83	$10,666 33
7/27/2005	$10,666 33	39		$106 66	$10,811 99
8/27/2005	$10,811 99	39		$108.12	$10,959 11
9/27/2005	$10,959 11	39		$109 59	$11,107 70
10/27/2005	$11,107 70	39		$111 08	$11,257 78
11/27/2005	$11,257 78	39		$112 58	$11,409 36
12/27/2005	$11,409 36	39		$114 09	$11,562 45
1/27/2006	$11,562 45	39		$115 62	$11 717 08

2/27/2006	$11,717 08	39	$117 17	$11,873 25
3/27/2006	$11,873 25	39	$118 73	$12,030 98
4/27/2006	$12,030 98	39	$120 31	$12,190 29
5/27/2006	$12,190 29	39	$121 90	$12,351 19
6/27/2006	$12,351 19	39	$123 51	$12,513 70
7/27/2006	$12,513 70	39	$125 14	$12,677 84
8/27/2006	$12,677 84	39	$126 78	$12,843 62
9/27/2006	$12,843 62	39	$128 44	$13,011 06
10/27/2006	$13,011 06	39	$130 11	$13,180 17
11/27/2006	$13,180 17	39	$131 80	$13,350 97
12/27/2006	$13,350 97	39	$133 51	$13,523 48
1/27/2007	$13,523 48	39	$135 23	$13,697 71
2/27/2007	$13,697 71	39	$136 98	$13,873 69
3/27/2007	$13,873 69	39	$138 74	$14,051 43
4/27/2007	$14,051 43	39	$140 51	$14,230 94
5/27/2007	$14,230 94	39	$142 31	$14,412 25
6/27/2007	$14,412 25	39	$144 12	$14,595 37
7/27/2007	$14,595 37	39	$145 95	$14,780 33
8/27/2007	$14,780 33	39	$147 80	$14,967 13
9/27/2007	$14,967 13	39	$149 67	$15,155 80
10/27/2007	$15,155 80	39	$151 56	$15,346 36
11/27/2007	$15,346 36	39	$153 46	$15,538 82
12/27/2007	$15,538 82	39	$155 39	$15,733 21
1/27/2008	$15,733 21	39	$157 33	$15,929 54
2/27/2008	$15,929 54	39	$159 30	$16,127 84
3/27/2008	$16,127 84	39	$161 28	$16,328 12
4/27/2008	$16,328 12	39	$163 28	$16,530 40
5/27/2008	$16,530 40	39	$165 30	$16,734 70
6/27/2008	$16,734 70	39	$167 35	$16,941 05
7/27/2008	$16,941 05	39	$169 41	$17,149 46
8/27/2008	$17,149 46	39	$171 49	$17,359 95
9/27/2008	$17,359 95	39	$173 60	$17,572 55
10/27/2008	$17,572 55	39	$175 73	$17,787 28
11/27/2008	$17,787 28	39	$177 87	$18,004 15
12/27/2008	$18,004 15	39	$180 04	$18,223 19
1/27/2009	$18,223 19	39	$182 23	$18,444 42
2/27/2009	$18,444 42	39	$184 44	$18,667 87
3/27/2009	$18,667 87	39	$186 68	$18,893 55
4/27/2009	$18,893 55	39	$188 94	$19,121 48

Total credit	$19,121 48
Total car damages	$11,525 00
Grand Total	**$30,646.48**

EXHIBIT "B"

DECLARATION OF BARRY FOLSE

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re	:	Chapter 11 Case No.
BEARINGPOINT, INC., et al.,	:	09 - 10691 (REG)
Debtors.[1]	:	(Jointly Administered)

DECLARATION OF BARRY FOLSE IN SUPPORT OF LIQUIDATING TRUSTEE'S AMENDED OBJECTION TO CLAIM NO. 463 OF GREGORY DAVIS

Barry Folse makes this declaration under 28 U.S.C. § 1746 and states:

1. I am a Managing Director of Alix Partners, LLP ("AP"). John DeGroote Services LLC (the "Liquidating Trustee") has retained AP as temporary employees. I am authorized to execute this Declaration on behalf of the Liquidating Trustee. Unless otherwise stated in this Declaration, I have personal knowledge of the facts set forth herein.

2. I submit this declaration in support of the Liquidating Trustee's Amended Objection to Claim No. 462 of Gregory Davis (the "Objection"). I, or employees of the Liquidating Trustee under my direction and control, have reviewed Mr. Davis's claim and the Debtors' employment records and concluded that there is no record of Mr. Davis having been employed by any of the Debtors.

[1] The Debtors include: BE New York Holdings, Inc., BearingPoint, Inc., BearingPoint, LLC, BearingPoint Americas, Inc., BearingPoint BG, LLC, BearingPoint Enterprise Holdings, LLC, BearingPoint Global, Inc., BearingPoint Global Operations, Inc., BearingPoint International I, Inc., BearingPoint Israel, LLC, BearingPoint Puerto Rico, LLC, BearingPoint Russia, LLC, BearingPoint South Pacific, LLC, BearingPoint Southeast Asia LLC, BearingPoint Technology Procurement Services, LLC, BearingPoint USA, Inc., i2 Mid Atlantic LLC, i2 Northwest LLC, Metrius, Inc., OAD Acquisition Corp., OAD Group, Inc., Peloton Holdings, L.L.C., Softline Acquisition Corp., and Softline Consulting and Integrators, Inc.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 29th day of December, 2010.

Barry Folse
Managing Director, AlixPartners, LLP

PROPOSED ORDER

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re	Chapter 11 Case No.
BEARINGPOINT, INC., et al.,	09 - 10691 (REG)
Debtors.	(Jointly Administered)

ORDER GRANTING LIQUIDATING TRUSTEE'S OBJECTION TO CLAIM NO. 463 OF GREGORY DAVIS

On consideration of the Objection to Claim No. 463 of Gregory Davis (the "***Objection***"),[1] filed by John DeGroote Services LLC, Liquidating Trustee of the BearingPoint Inc. Liquidating Trust ("***Liquidating Trustee***"), for entry of an order disallowing and expunging the claim of Gregory Davis, all as more fully set forth in the Objection; and the Court having held a hearing to consider the relief requested therein (the "***Hearing***"), with the appearances of all interested parties noted in the record of the Hearing; and upon all of the proceedings before the Court, the Court finds and determines the following:

A. Consideration of the Objection and the relief requested therein is a core proceeding pursuant to 28 U.S.C. § 157(b).

B. Venue is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409.

C. The Court has jurisdiction to consider the Objection and the relief requested therein in accordance with 28 U.S.C. §§ 157 and 1334 and the Standing Order M-61 of the United States District Court for the Southern District of New York, dated July 10, 1984 (Ward, Acting C.J.).

[1] Unless otherwise defined herein, capitalized terms used herein shall have the meanings ascribed thereto in the Objection.

D. The Liquidating Trustee has provided due and proper notice of the Objection and Hearing to parties in interest (the "***Notice Parties***"), including Gregory Davis, in accordance with the *Order Pursuant to Bankruptcy Code Section 105 Approving Notice Procedures for Claims Objections and Deemed Schedule Amendment Motions*, dated October 14, 2009 [Docket No. 1353], and no further notice is necessary.

E. The legal and factual bases set forth in the Objection establish just and sufficient cause to grant the relief requested therein.

F. The relief granted herein is in the best interests of the Debtors, their estates, creditors, the Liquidating Trust, and all parties in interest.

G. Notwithstanding the relief granted herein, the Liquidating Trustee reserves all rights under chapter 5 of the Bankruptcy Code and all other claims or causes of action that it may have against the claimant affected by this Objection.

Therefore, it is hereby ORDERED that:

1. The Objection is GRANTED as set forth herein.

2. Claim No. 463 of Gregory Davis is disallowed in its entirety.

3. Garden City Group is authorized and directed to delete the disallowed Claim, pursuant to this Order, from the official claims register in these chapter 11 cases.

4. This Court shall retain jurisdiction to hear and determine all matters arising from the implementation of this Order.

Dated: New York, New York
_____________, 2010

____
HONORABLE ROBERT E. GERBER
UNITED STATES BANKRUPTCY JUDGE